

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

LISA WALTERS, an individual;)	
SECOND AMENDMENT)	
FOUNDATION; and)	
FIREARMS POLICY COALITION,)	
INC.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 1:20-cv-01624-SCJ
)	
BRIAN KEMP, in his official capacity)	
as the Governor of Georgia; GARY)	
VOWELL, in his official capacity as)	
Commissioner of the Department of)	
Public Safety and Colonel of the Georgia)	
State Patrol; THE COUNTY OF)	
CHEROKEE; and KEITH WOOD, in his)	
official capacity as Judge of the Probate)	
Court of Cherokee County,)	
)	
Defendants.)	

**CHEROKEE COUNTY, GEORGIA'S
MOTION TO DISMISS**

Comes now, CHEROKEE COUNTY, GEORGIA, and, pursuant to Fed. R. Civ. P. 12(b)(1) (lack of subject matter jurisdiction) and Fed. R. Civ. P. 12(b)(6)

(failure to state a claim) files this its Motion to Dismiss asserting that this Court lacks subject matter jurisdiction over the claims asserted in Plaintiffs' Complaint and that Plaintiffs' Complaint fails to state a claim upon which relief may be granted against Cherokee County, Georgia. In support of this Motion, Cherokee County relies upon the Pleadings in the Court's record and Cherokee County's Brief in Support of its Motion for Summary Judgment filed contemporaneously herewith.

Cherokee County, Georgia prays that its Motion be GRANTED and that all claims against it be DISMISSED.

Respectfully submitted, this 24th day of April, 2020.

JARRARD & DAVIS, LLP

/s/ Patrick D. Jaugstetter .

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CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically filed CHEROKEE COUNTY, GEORGIA'S MOTION TO DISMISS with the Clerk of Court using the CM/ECF system, which will automatically provide notice to all counsel of record:

I further certify that the above and foregoing meets the requirements set forth in L.R. 5.1(C) and has been prepared using Times New Roman 14-point font.

This 24th day of April, 2020.

JARRARD & DAVIS, LLP

/s/ *Patrick D. Jaugstetter*
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